

40 CFR 63, Subpart DDDDD - Major	40 CFR 63, Subpart JJJJJJ - area
§63.7491 Are any boilers or process heaters not subject to this subpart?	§63.11195 Are any boilers not subject to this subpart?
The types of boilers and process heaters listed in paragraphs (a) through (n) of this section are not subject to this subpart.	The types of boilers listed in paragraphs (a) through (k) of this section are not subject to this subpart and to any requirements in this subpart.
(a) An electric utility steam generating unit (EGU) covered by subpart UUUUU of this part or a natural gas-fired EGU as defined in subpart UUUUU of this part firing at least 85 percent natural gas on an annual heat input basis.	(a) Any boiler specifically listed as, or included in the definition of, an affected source in another standard(s) under this part.
(b) A recovery boiler or furnace covered by subpart MM of this part.	(b) Any boiler specifically listed as an affected source in another standard(s) established under section 129 of the Clean Air Act.
(c) A boiler or process heater that is used specifically for research and development, including test steam boilers used to provide steam for testing the propulsion systems on military vessels. This does not include units that provide heat or steam to a process at a research and development facility.	(c) A boiler required to have a permit under section 3005 of the Solid Waste Disposal Act or covered by subpart EEE of this part (e.g., hazardous waste boilers).
(d) A hot water heater as defined in this subpart. <i>Hot water heater</i> means a closed vessel with a capacity of no more than 120 U.S. gallons in which water is heated by combustion of gaseous, liquid, or biomass/bio-based solid fuel and is withdrawn for use external to the vessel. Hot water boilers (i.e., not generating steam) combusting gaseous, liquid, or biomass fuel with a heat input capacity of less than 1.6 million Btu per hour are included in this definition. The 120 U.S. gallon capacity threshold to be considered a hot water heater is independent of the 1.6 MMBtu/hr heat input capacity threshold for hot water boilers. Hot water heater also means a tankless unit that provides on demand hot water.	(d) A boiler that is used specifically for research and development. This exemption does not include boilers that solely or primarily provide steam (or heat) to a process or for heating at a research and development facility. This exemption does not prohibit the use of the steam (or heat) generated from the boiler during research and development, however, the boiler must be concurrently and primarily engaged in research and development for the exemption to apply.
(e) A refining kettle covered by subpart X of this part.	(e) A gas-fired boiler as defined in this subpart. <i>Gas-fired boiler</i> includes any boiler that burns gaseous fuels not combined with any solid fuels and burns liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year.
	(f) A hot water heater as defined in this subpart.

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<p>(f) An ethylene cracking furnace covered by subpart YY of this part.</p>	<p><i>Hot water heater</i> means a closed vessel with a capacity of no more than 120 U.S. gallons in which water is heated by combustion of gaseous, liquid, or biomass fuel and hot water is withdrawn for use external to the vessel.</p> <p>Hot water boilers (<i>i.e.</i>, not generating steam) combusting gaseous, liquid, or biomass fuel with a heat input capacity of less than 1.6 million Btu per hour are included in this definition.</p> <p>The 120 U.S. gallon capacity threshold to be considered a hot water heater is independent of the 1.6 million Btu per hour heat input capacity threshold for hot water boilers.</p> <p>Hot water heater also means a tankless unit that provides on-demand hot water.</p>
<p>(g) Blast furnace stoves as described in EPA-453/R-01-005 (incorporated by reference, see §63.14).</p>	<p>(g) Any boiler that is used as a control device to comply with another subpart of this part, or part 60, part 61, or part 65 of this chapter provided that at least 50 percent of the average annual heat input during any 3 consecutive calendar years to the boiler is provided by regulated gas streams that are subject to another standard.</p>
<p>(h) Any boiler or process heater that is part of the affected source subject to another subpart of this part, such as boilers and process heaters used as control devices to comply with subparts JJJ, OOO, PPP, and U of this part.</p>	<p>(h) Temporary boilers as defined in this subpart.</p> <p><i>Temporary boiler</i> means any gaseous or liquid fuel boiler or process heater that is designed to, and is capable of, being carried or moved from one location to another by means of, for example, wheels, skids, carrying handles, dollies, trailers, or platforms.</p> <p>A boiler or process heater is not a temporary boiler or process heater if any one of the following conditions exists:</p> <p>(1) The equipment is attached to a foundation.</p> <p>(2) The boiler or process heater or a replacement remains at a location within the facility and performs the same or similar function for more than 12 consecutive months unless the regulatory agency approves an extension.</p> <p>An extension may be granted by the regulating agency upon petition by the owner or operator of a unit specifying the basis for such a request.</p> <p>Any temporary boiler or process heater that replaces a temporary boiler or process heater at</p>

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	<p>a location and performs the same or similar function will be included in calculating the consecutive time period unless there is a gap in operation of 12 months or more.</p> <p>(3) The equipment is located at a seasonal facility and operates during the full annual operating period of the seasonal facility, remains at the facility for at least 2 years, and operates at that facility for at least 3 months each year.</p> <p>(4) The equipment is moved from one location to another within the facility but continues to perform the same or similar function and serve the same electricity, process heat, steam, and/or hot water system in an attempt to circumvent the residence time requirements of this definition.</p>
<p>(i) Any boiler or process heater that is used as a control device to comply with another subpart of this part, or part 60, part 61, or part 65 of this chapter provided that at least 50 percent of the average annual heat input during any 3 consecutive calendar years to the boiler or process heater is provided by regulated gas streams that are subject to another standard.</p>	<p>(i) Residential boilers as defined in this subpart.</p> <p><i>Residential boiler</i> means a boiler used to provide heat and/or hot water and/or as part of a residential combined heat and power system. This definition includes boilers located at an institutional facility (e.g., university campus, military base, church grounds) or commercial/industrial facility (e.g., farm) used primarily to provide heat and/or hot water for:</p> <p>(1) A dwelling containing four or fewer families, or</p> <p>(2) A single unit residence dwelling that has since been converted or subdivided into condominiums or apartments.</p>
<p>(j) Temporary boilers and process heaters as defined in this subpart.</p> <p><i>Temporary boiler</i> means any gaseous or liquid fuel boiler or process heater that is designed to, and is capable of, being carried or moved from one location to another by means of, for example, wheels, skids, carrying handles, dollies, trailers, or platforms.</p> <p>A boiler or process heater is not a temporary boiler or process heater if any one of the following conditions exists:</p> <p>(1) The equipment is attached to a foundation.</p>	<p>(j) Electric boilers as defined in this subpart.</p> <p><i>Electric boiler</i> means a boiler in which electric heating serves as the source of heat.</p> <p>Electric boilers that burn gaseous or liquid fuel during periods of electrical power curtailment or failure are included in this definition.</p>

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<p>(2) The boiler or process heater or a replacement remains at a location within the facility and performs the same or similar function for more than 12 consecutive months unless the regulatory agency approves an extension.</p> <p>An extension may be granted by the regulating agency upon petition by the owner or operator of a unit specifying the basis for such a request.</p> <p>Any temporary boiler or process heater that replaces a temporary boiler or process heater at a location and performs the same or similar function will be included in calculating the consecutive time period.</p> <p>(3) The equipment is located at a seasonal facility and operates during the full annual operating period of the seasonal facility, remains at the facility for at least 2 years, and operates at that facility for at least 3 months each year.</p> <p>(4) The equipment is moved from one location to another within the facility but continues to perform the same or similar function and serve the same electricity, process heat, steam, and/or hot water system in an attempt to circumvent the residence time requirements of this definition.</p>	
<p>(k) Blast furnace gas fuel-fired boilers and process heaters as defined in this subpart.</p>	<p>(k) An electric utility steam generating unit (EGU) as defined in this subpart.</p>
<p>(l) Any boiler or process heater specifically listed as an affected source in any standard(s) established under section 129 of the Clean Air Act.</p>	
<p>(m) A unit that burns hazardous waste covered by Subpart EEE of this part. A unit that is exempt from Subpart EEE as specified in §63.1200(b) is not covered by Subpart EEE.</p>	
<p>(n) Residential boilers as defined in this subpart.</p>	
<p>Biomass or bio-based solid fuel means any biomass-based solid fuel that is not a solid waste. This includes, but is not limited to, wood residue; wood products (e.g., trees, tree stumps, tree limbs, bark, lumber, sawdust, sander dust, chips, scraps, slabs, millings, and shavings); animal manure, including litter and other</p>	<p>Biomass means any biomass-based solid fuel that is not a solid waste. This includes, but is not limited to, wood residue and wood products (e.g., trees, tree stumps, tree limbs, bark, lumber, sawdust, sander dust, chips, scraps, slabs, millings, and shavings); animal manure, including litter and other bedding materials; vegetative agricultural and</p>

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<p>bedding materials; vegetative agricultural and silvicultural materials, such as logging residues (slash), nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds. This definition of biomass is not intended to suggest that these materials are or are not solid waste.</p>	<p>silvicultural materials, such as logging residues (slash), nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds. This definition of biomass is not intended to suggest that these materials are or are not solid waste. <i>Biomass subcategory</i> includes any boiler that burns any biomass and is not in the coal subcategory.</p>